

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

EFS&T Department - Diversion of 347.64 Ha (originally proposed as 469.18 Ha) of forest land in (12) R.Fs. of Eluru Forest Division for Chintalapudi Lift Irrigation Scheme package-I & II, in favour of Chief Engineer, Godavari Delta System, Dowleswaram – Final **(Stage II)** approval accorded - Orders – Issued

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (Section-II) DEPARTMENT

G.O.MS.No. 1

Dated: 02-01-2019

Read the following:-

1. From PCCF (HoFF), A.P, Lr.Rc. No.36710/2013-FCA-1, dt.24-6-2016.
2. State Govt.Lr.No.3733/Section-II/2016, dated.9-8-2016.
3. From GoI, MoEF&CC, New Delhi, Lr.F.No.8-38/2016-FC, dt.16.12.2016.
4. From PCCF (HoFF), A.P, Lr.Rc. No.36710/2013/FCA-1, dt.14-6-2017.
5. State Govt.Lr.No.3733/Section-II/2016, dt.22-6-2017.
6. From GoI, MoEF&CC, New Delhi, Lr.F.No.8-38/2016-FC, dt.20.11.2017.
7. State Govt.Lr.No.3733/Section-II/2016, dated.4-12-2017.
8. From PCCF(HoFF), A.P., Guntur, Lr.No.EFS02-36710/2013-FCA-1, dated.6.8.2018.
9. State Govt.Lr.No.3733/Section-II/2016, dated.8-8-2018.
10. From GoI, MoEF& CC, New Delhi, Lr.F.No.8-38/2016-FC, dt.28.11.2018.

ORDER:

The Principal Chief Conservator of Forests (Head of Forest Force), Andhra Pradesh in his letter 1st read above, had submitted a proposal under Forest (Conservation) Act, 1980, for diversion of 469.18 Ha. of forest land in (12) R.Fs. of Eluru Forest Division for Chintalapudi Lift Irrigation Scheme Package-I & II, in favour of Chief Engineer, Godavari Delta System, Dowleswaram, and requested to forward the same to Government of India, Ministry of Environment, Forests, & Climate Change, New Delhi for according necessary approval under Section-2 of Forest (Conservation) Act, 1980.

2. The said proposal was sent to Government of India, Ministry of Environment, Forests, & Climate Change, New Delhi for their approval under Section-2 of Forest (Conservation) Act, 1980 vide State Government letter 2nd read above.

3. Government of India, Ministry of Environment & Forests, New Delhi in their letter 3rd read above, have requested to furnish certain additional information on four points as mentioned therein for further consideration of the proposal.

4. State Government vide letter 5th read above, have furnished the additional information in which the user agency proposed to obtain the Forest Clearances in phase wise as noted below:-

Sl.No.	Category	Forest land required in (Ha)	Remarks
1	First Phase	347.64	Jalleru Reservoir Component is withdrawn in this phase
2	Second Phase	3294.36	The Jalleru Reservoir component will be included in this phase.
	Total	3642.00	

The Water Resources Department has proposed for diversion of **347.64 Ha (i.e 469.18 Ha - 121.54)** of Forest land in First Phase duly deleting 121.54 Ha i.e. the Jalleru Bund **56.02 Ha**, Spill way **60.74 Ha**, Saddle bund **4.78 Ha** which will be executed in second phase. With the above changes, the requirement of forest land in 1st phase is only

347.64 Ha as it is the linear stretch for canal and pressure mains. Hence, as reported by the User Agency, impounding of water and submergence of forest area in Jalleru reservoir does not arise in first phase.

5. Government of India, Ministry of Environment, Forests, & Climate Change, New Delhi vide their letter 6th read above, have accorded in-principle (Stage-I) approval under Section-2 of Forest (Conservation) Act, 1980, for the proposal, subject to compliance of certain conditions as stipulated therein.

6. Accordingly, the State Government vide letter 9th read above, have furnished the compliance report on the conditions stipulated by the Government of India, Ministry of Environment, Forests, & Climate Change.

7. Government of India, Ministry of Environment, Forests, & Climate Change in their letter 10th read above, have accorded Final **(Stage-II)** approval under Section- 2 of Forest (Conservation) Act, 1980, for diversion of 347.64 Ha (originally proposed as 469.18 Ha) of forest land in (12) R.Fs. of Eluru Forest Division for Chintalapudi Lift Irrigation Scheme Package –I & II, in favour of Chief Engineer, Gadavari Delta System, Dowleswaram, Government of Andhra Pradesh, subject to compliance of certain conditions as stipulated therein.

8. Government, after careful examination of the proposal, hereby accord permission to the Principal Chief Conservator of Forests (Head of Forest Force), Andhra Pradesh for diversion of 347.64 Ha (originally proposed as 469.18 Ha) of forest land in (12) R.Fs. of Eluru Forest Division for Chintalapudi Lift Irrigation Scheme Package –I & II, in favour of Chief Engineer, Gadavari Delta System, Dowleswaram, subject to the following conditions:-

- i) Legal status of the diverted forest land shall remain unchanged;
- ii) Compensatory afforestation over the non-forest land, equal in extent to the 347.64 ha. of forest land being diverted shall be raised on identified land within a period of three years with effect from the date of issue of Stage-II clearance and maintained thereafter in accordance with the approved scheme /Plan by the State Forest Department from the funds already provided by the Use agency;
- iii) The State Government shall ensure that the non-forest land transferred and mutated in favour of the State Forest Department for raising Compensatory Afforestation shall be notified as Reserved Forest under Section-4 or Protected Forest under Section-29 of the Indian Forest Act, 1927 or under the relevant Section (s) of the local Forest Act. The Nodal Officer must report compliance within a period of six (6) months from the date of grant of stage-II approval under the Forest (Conservation) Act, 1980 for diversion of the said forest land and send a copy of the notification declaring the non-forest land under Section - 4 or Section - 29 of the Indian Forest Act, 1927, or under the relevant section of the local forest Act as the case may be, to this Ministry for information and record;
- iv) The State Government shall ensure that the approval is accorded for diversion of 347.64 ha only and will not be considered as approval for any further area that may be linked with this project. Such case will be considered for diversion under Section 2(ii) of FC Act as and when the case arises;
- v) The State Government shall ensure that this State Forest Department shall implement the approved soil and moisture conservation (SMC) activities on the CA land from the funds already provided by the User Agency;
- vi) The user agency shall pay the additional amount of NPV, if so determined, as per the final decision of the Hon`ble Supreme Court of India and transfer the same to the ad-hoc CAMPA under intimation to this Ministry;

- vii) The State Government shall ensure that the User Agency provides fuels preferably alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas;
- viii) The State Government shall ensure that the boundary of the diverted forest land, mining lease and safety zone, as applicable, has been demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, distance from pillar to pillar and GPS co-ordinates of each pillar;
- ix) The State Government shall ensure that the layout plan of the proposal shall not be changed without the prior approval of the Central Government;
- x) The State Government shall ensure that the forest land is not used for any purpose other than that specified in the proposal;
- xi) *The State Government / User Agency shall ensure to obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986;*
- xii) *The State Government / User Agency shall ensure to raise afforestation along periphery of the canals;*
- xiii) *The State Government / User Agency shall ensure that the minimum tree felling in the forest area;*
- xiv) *The State Government / User Agency shall ensure to provide free water for the forestry related projects;*
- xv) The Government of Andhra Pradesh and the user agency shall ensure that the trees available between Full reservoir level (FRL) and FRL-4 meters are not felled.
- xvi) The State Government shall ensure that the forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government;
- xvii) The State Government shall ensure that the User Agency carries out muck disposal at pre-designated sites in such a manner so as to avoid its rolling down and the dumping area for muck disposal shall be stabilized and reclaimed by planting suitable species by the User Agency at the cost of project under the supervision of State Forest Department. Retaining walls and terracing shall be carried out to hold the dumping material in place. Stabilization and reclamation of such dumping sites shall be completed before handing over the same to the State Forest Department in a time bound manner as per Plan;
- xviii) The State Government shall ensure that the User Agency submits the annual self-compliance report in respect of the above conditions to the State Government and to the concerned Regional Office of the Ministry regularly;
- xix) Any other condition that the concerned Regional Office of this Ministry with the approval of Competent Authority may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife;
- xx) The State Government and the User Agency shall ensure compliance to provisions of the all Acts, Rules, Regulations, Guidelines, NGT and relevant Hon'ble Court Order (s), if any, pertaining to this project for the time being in force, as applicable to the project;

9. The Principal Chief Conservator of Forests (Head of Forest Force), Andhra Pradesh, shall take further necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**G.ANANTHA RAMU
PRINCIPAL SECRETARY TO GOVERNMENT**

To
The Principal Chief Conservator of Forests (Head of Forest Force),
Andhra Pradesh, Guntur.

Copy to:

The Deputy Inspector General of Forests (FC),
Government of India, Ministry of Environment, Forests & Climate Change,
Indira Paryavaran Bhawan, JorBagh Road, Aliganj, New Delhi – 110 003.

The Additional Principal Chief Conservator of Forests (Central)
Government of India, Ministry of Environment & Forests,
Regional Office, 1st and 2nd Floors,
Handloom Export promotion Council Building
34, Cathedral Garden Road, Nungambakkam, Chennai – 600034.

The Chief Conservator of Forests, Rajahmundry,

The Divisional Forest Officer, Eluru.

The Chief Engineer, Godavari Delta System, Dowleswaram, East Godavari District.

P.S to Hon'ble Minister (EFS&T)

P.S to Principal Secretary to Government, EFS&T Dept.,

SF/SC

// FORWARDED :: BY ORDER //

SECTION OFFICER